

UNREDACTED VERSION OF
DOCUMENT(S) SOUGHT TO BE SEALED

Exhibit P

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

AARON SENNE, et al.,)	
Individually and on Behalf of)	
All Those Similarly Situated;)	
)	Case No.
Plaintiffs,)	3:14-cv-00608-JCS
)	(consolidated with
vs.)	3:14-cv-03289-JCS)
)	
OFFICE OF THE COMMISSIONER OF)	CLASS ACTION
BASEBALL, an unincorporated)	
association doing business as)	
MAJOR LEAGUE BASEBALL; et al.;)	
)	
Defendants.)	
)	

VIDEOTAPED 30(b)(6) DEPOSITION OF
AZPB, L.P. (dba ARIZONA DIAMONDBACKS)

March 31, 2016
9:41 a.m.
Scottsdale, Arizona

Prepared by:

Carolyn T. Sullivan, RPR

Arizona CR No. 50528

1 **addendums.**

2 Q. Are all first-year Diamondbacks Minor League
3 players required to sign one of those UPCs?

4 A. **Yes.**

5 Q. Do you know why that is?

6 A. **So we know who's on what team.**

7 Q. But do you know why it is that they're required
8 to sign a UPC versus some other form of written contract?

9 A. **I'm not sure why that is.**

10 Q. In your role with the Diamondbacks, do you ever
11 create the UPCs for the Minor League players to sign?

12 A. **I do.**

13 Q. How do you know about doing that?

14 A. **I look at the terms for like a first-year
15 player. It would be from the scout that drafted the
16 player. Get the terms, and I'll then enter the terms and
17 produce the contract.**

18 Q. And when you say enter the terms to produce the
19 contract, where do you actually access the template UPC
20 in which to enter the terms?

21 A. **The system that's used for creating the
22 contract? Is that what you're asking?**

23 Q. Yes.

24 A. **Okay.**

25 Q. What is the name of that system?

1 **A. eBIS.**

2 Q. And is that a -- is it fair to call that a
3 database?

4 **A. Yeah.**

5 Q. Is that a database that's hosted by the Arizona
6 Diamondbacks?

7 **A. I don't believe so.**

8 Q. Do you know who it's hosted by?

9 **A. I'm not certain. I know it's possibly Major**
10 **League Baseball. I'm not certain on where it's actually**
11 **all hosted, though.**

12 Q. But you think it's possibly Major League
13 Baseball that hosts eBIS?

14 **A. Correct.**

15 Q. What makes you think it's possible that Major
16 League Baseball hosts eBIS?

17 **A. When the eBIS is down, we get email from**
18 **someone with an MLB email address.**

19 Q. Who is it that sends you that email when eBIS
20 is down?

21 **A. I'm not sure what his name is.**

22 Q. Does the -- does the signature block in his
23 email maybe have a title underneath it, do you recall?

24 **A. I don't. Sorry.**

25 Q. But you're certain that it's a Major League

1 Baseball email address that sends the email to you when
2 eBIS is down?

3 **A. Correct.**

4 Q. Do you communicate with anybody else at Major
5 League Baseball regarding UPCs?

6 **A. In terms of the creation of them or --**

7 Q. Correct.

8 **A. No. We just create the terms and then submit**
9 **them and submit the signed contract.**

10 Q. And this eBIS database, is it something that
11 you have to log into to get access to?

12 **A. That's correct.**

13 Q. Is it on a website?

14 **A. It is. Yeah, it's web based.**

15 Q. Do you know what the website is?

16 **A. Not right offhand. Just a bookmark of mine, so**
17 **I always click on it.**

18 Q. I could be butchering the terminology on this,
19 but is it possible that the domain is something that
20 suggests Major League Baseball is involved in hosting it?

21 MS. BLOOM: Object to the form of the
22 question.

23 You can answer if you know.

24 THE WITNESS: I actually don't know. Just
25 click on the bookmarks and log right in.

1 Q. BY MR. SHIFTAN: Sitting here today, you have
2 no recollection at all as to what's in the actual Web
3 address at the top of your screen when you go to access
4 it?

5 A. I could look at it, but I'm not sure right now.

6 Q. Do you have any other communications with
7 anyone at Major League Baseball regarding the UPCs?

8 A. Yeah. Sometimes if there's, like, an
9 investigation background, we need more documentation on
10 that, I'll get an email back from someone at MLB there.

11 Q. And just to make sure I understand this, that's
12 after the Diamondbacks had submitted a signed UPC to
13 Major League Baseball; is that right?

14 A. It can be either/or because international
15 contracts, you can submit the background stuff first.
16 Sometimes I'll hear back before the actual contract has
17 been submitted.

18 Q. And what do you mean by "the background stuff"?

19 A. International players, do a background check to
20 make sure they're who they say they are. Identity
21 background.

22 Q. The Diamondbacks run that background check?

23 A. No.

24 Q. But the Diamondbacks orchestrate that
25 background check being run?

1 **A. They produce the documents for it.**

2 Q. And the Diamondbacks produce those documents to
3 Major League Baseball?

4 **A. Correct.**

5 Q. Why do the Diamondbacks produce those documents
6 to Major League Baseball?

7 **A. Because for the contract, it needs to be -- all**
8 **the documents in there, so...**

9 Q. In order for there to be a complete UPC, Major
10 League Baseball requires that the Diamondbacks send in
11 documents like these background check documents?

12 MS. BLOOM: Object to the form of the
13 question.

14 You can answer.

15 THE WITNESS: For first-year international
16 players, yes.

17 Q. BY MR. SHIFTAN: How about for domestic
18 players, are there any documents that Major League
19 Baseball has to send in to -- strike that.

20 For first-year players, are there any
21 documents that the Diamondbacks are required to send to
22 Major League Baseball in connection with the signing of a
23 UPC?

24 **A. No. Just UPC.**

25 Q. Just the UPC itself?

1 **A. Correct.**

2 Q. Why do the Diamondbacks send the UPC itself to
3 Major League Baseball?

4 **A. So it can go on the database there and then**
5 **also so we know who's on what roster. Keep track of**
6 **every roster in baseball.**

7 Q. So that Major League Baseball can keep track of
8 every roster in baseball, right?

9 **A. Correct. There's roster limits.**

10 Q. What do you mean by "there's roster limits"?

11 **A. Every classification has a certain number of**
12 **players that can play on a team during the Championship**
13 **Season.**

14 Q. Who sets that certain number of players that
15 can play on a team during a Championship Season?

16 **A. Major League Baseball.**

17 Q. Do you know who drafted the UPC?

18 **A. What do you mean "drafted"?**

19 Q. Who puts -- who put in the terms in the UPC
20 that are in there when you go into eBIS to pull down a
21 UPC?

22 **A. The final one or the -- there's different**
23 **parts. I'm sorry.**

24 Q. Sure. My question might have been confusing.

25 Is it fair to say that the UPC that you

1 access from eBIS is a form document?

2 **A. In terms of like drop-downs and spitting out**
3 **a -- I guess like a -- for certain terms like a drop-down**
4 **and selections?**

5 Q. No. When you access a UPC in eBIS, that
6 document already has a lot of text filled into it,
7 correct?

8 **A. I guess -- I guess when it's all said and done,**
9 **it's spit out with the terms you submit.**

10 Q. I see.

11 So on eBIS, you literally just put in
12 specific terms, right?

13 **A. Correct.**

14 Q. You're not actually even putting them into a
15 document. You're just putting the terms in, and then you
16 get a complete contract with those terms inserted in it?

17 **A. Correct.**

18 Q. When you get that complete contract, there's a
19 lot of text in the contract other than the terms that
20 you're putting in, right?

21 **A. Yes.**

22 Q. My question is, do you know who drafts those
23 terms?

24 **A. I'm not sure of that.**

25 Q. Do you think it's Major League Baseball?

1 MS. BLOOM: Object to the form of the
2 question.

3 You can answer.

4 THE WITNESS: I'm not sure.

5 Q. BY MR. SHIFTAN: Are the first-year player UPCs
6 always for seven years?

7 A. They are.

8 Q. Do you know why that is?

9 A. I'm not sure.

10 Q. How are first-year salaries in the UPC
11 determined?

12 A. For U.S. players that are drafted or free
13 agents sign their first UPC in the U.S., it's a flat rate
14 of 1,100 a month.

15 Q. When you say it's a flat rate of \$1,100 a
16 month, is that the flat rate regardless of what affiliate
17 level that particular Diamondbacks minor leaguer reaches
18 during their first year?

19 A. Correct.

20 Q. So if a Diamondbacks minor leaguer makes it all
21 the way up to AAA in his first year, he's still only
22 getting \$1,100 a month even when he's in AAA, right?

23 A. If he's not an international player.

24 Q. Right. A domestic player.

25 A. Correct.

1 **I'm not sure if you can go over that or not.**

2 Q. Okay. Are you familiar with the term
3 "incentive bonuses"?

4 A. **I am.**

5 Q. What does that term mean to you?

6 A. **That's part of a contract you can put in there.**
7 **And it's a AA/AAA/Major League breakdown of their**
8 **incentive bonus money to the player.**

9 Q. Does the Scouting Department tell you the
10 amount of incentive bonus to insert in players' UPCs?

11 A. **No. They just tell me if it's an incentive**
12 **bonus, yes or no.**

13 Q. When you say "if it's an incentive bonus, yes
14 or no," is there only one type of incentive bonus that
15 can be provided in a UPC?

16 A. **Correct.**

17 Q. The Diamondbacks don't have a lot of
18 flexibility in terms of what incentive bonus provisions
19 to insert into a UPC?

20 MS. BLOOM: Object to the form of the
21 question.

22 You can answer.

23 THE WITNESS: Can you repeat it. I'm sorry.

24 MR. SHIFTAN: Do you want to repeat it.

25 (The requested portion of the record was

1 read by the reporter.)

2 THE WITNESS: Correct. Just the selection.

3 Q. BY MR. SHIFTAN: It's just yes or no, there is
4 or is not an incentive bonus, right?

5 A. That's correct.

6 Q. And is the amount of incentive bonus the same
7 every time the incentive bonus provision is inserted into
8 a UPC?

9 A. It is.

10 Q. Do you know who sets that amount?

11 A. I do not.

12 Q. Do you think it's Major League Baseball?

13 MS. BLOOM: Object to the form of the
14 question.

15 You can answer.

16 THE WITNESS: I'm not sure about that.

17 Q. BY MR. SHIFTAN: Are you familiar with what is
18 called a college scholarship plan?

19 A. I am.

20 MS. BLOOM: Objection.

21 You can answer.

22 That was one of the topics that you guys
23 withdrew. So you can ask about his personal knowledge,
24 but I just wanted to be clear that you specifically
25 withdrew the college scholarship plan as a topic for

1 today.

2 Q. BY MR. SHIFTAN: What is a college scholarship
3 plan?

4 MS. BLOOM: You can answer if you know.

5 THE WITNESS: Okay. It's part of a contract
6 that can go in there for a first-year contract.

7 Q. BY MR. SHIFTAN: And does the Scouting
8 Department tell you whether to include a college
9 scholarship plan provision in the UPC?

10 MS. BLOOM: Object to the form of the
11 question.

12 You can answer if you know.

13 THE WITNESS: They do tell me, yes.

14 Q. BY MR. SHIFTAN: Does an Arizona Diamondbacks
15 Minor League player have to sign a UPC before they can
16 join an Arizona Diamondbacks affiliate?

17 A. **That's correct.**

18 Q. Do you know why that is?

19 A. **I think it's to know who's on what team.**

20 **Creates a little more order.**

21 Q. Are you familiar with the addendums that are
22 attached to UPCs?

23 A. **I am.**

24 Q. Can you give me some examples as to the various
25 addendums?